IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

ARBITRATION PETITION NO.514 OF 2004

...

Mr.G.L.Masand ...Petitioner

v/s.

Union of India

and others. ...Respondents

...

Mr.G.S.Masand Petitioner in person.

Mr.Suresh Kumar for the Respondents.

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CORAM: D.K.DESHMUKH, J.

DATED: 28TH FEBRUARY,2005

P.C.:

The grievance of the Petitioner is that though the arbitral tribunal was constituted on 28-3-2003, the arbitral tribunal is not proceeding expeditiously to

make the award. The learned Counsel appearing for the Respondents has filed reply and pointed out that the arbitral tribunal is now holding meeting, but the Petitioner himself is not attending. In any case the learned Counsel appearing for the Respondents has stated that the arbitral tribunal will complete the proceedings as expeditiously as possible, in any case within a period of three months from today.

Statement is accepted.

In view of this statement, in my opinion, it will not be appropriate to terminate the mandate of the arbitral tribunal on the ground of delay. So far as the grievance regarding one of the member of the arbitral tribunal is concerned, the remedy of the Petitioner is to file a complaint under Sections 12 & 13 of the Act before the arbitral tribunal and take steps in accordance with law. For that reason at this stage the mandate of the arbitral tribunal cannot be terminated.

Petition disposed of.

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